

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the	)	
relation of State Engineer,	)	
	)	
Plaintiff,	)	
	)	69cv07941-BB-ACE
-v-	)	
	)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON et al.,	)	
	)	
Defendants.	)	
_____	)	

MOTION OF SPECIAL MASTER  
FOR INTERIM FEES AND EXPENSES

TO: The Honorable Bruce D. Black  
United States District Judge

FROM: Vickie L. Gabin  
Special Master

A Motion requesting the Court to approve interim fees and expenses, a brief summary of the work performed, and the Special Master's Declaration in support of Motion

This Motion is submitted pursuant to the Administrative Order entered February 23, 1995, regarding the manner in which the Special Master, data manager and other personnel required by the Special Master are paid for services, costs, expenses and New Mexico gross receipts taxes related to this adjudication. The Special Master hereby moves for an order of the Court approving interim fees and expenses for work performed in this case from July 1, 2003, through December 31, 2003. Most of the fees and expenses have already been paid from the trust account.

## I. WORK PERFORMED

### A. Case management

The court's data manager continues to track all water rights information contained in newly filed consent orders for Sections 3 (Rios Cebolla, Canjilon and Las Nutrias), Section 5 (Rio Gallina), and Section 7 (Tierra Amarilla). I continue to review and approve consent orders, acknowledgments, and motions relevant to subfile activity in these sections. All hydrographic surveys for Sections 5, 3 and 7 have been filed, and the Office of the State Engineer continues to complete surveys and hold field sessions to meet with individual water rights claimants who have problems with their consent orders. I held several scheduling and status conferences, as well as attended a field session in Tierra Amarilla.

### B. Section 5 adjudication

I submitted four special master reports for the four groups of disputed subfiles in this section.

### C. Section 3 adjudication

The adjudication of individual water rights claimants proceeds, and numerous consent orders have been processed and filed.

### D. Section 7 adjudication

Numerous consent orders have been processed and filed in the Cañones, Rutheron and Plaza Blanca, Rio Brazos, Village of Chama and Rito de Tierra Amarilla subsections.

### E. Federal and Indian water rights claims

There has been no activity in this phase of the case, save for planning for a multi-case status conference in early 2004.

## II. DECLARATION

### DECLARATION OF SPECIAL MASTER IN SUPPORT OF MOTION

I, Vickie L. Gabin, declare that the work described above is the basis for my fee application, and that the work of data manager Karla McCall, Geta A. Gatterman, paralegal and administrative assistant, has been completed as described. Hourly records of work performed are available from the contractors if needed.

Dated: February 13, 2004

/electronic signature/  
VICKIE L. GABIN, SPECIAL MASTER